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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13

14 DAX PIERSON,

15
16 Plaintiff,

17 v.

18 FORD MOTOR COMPANY,

19 Defendant.
20

) Case No.: C-06-06503 PJH
)

) **STIPULATION AND [PROPOSED]**
) **ORDER TO AMEND CASE**
) **MANAGEMENT AND PRETRIAL**
) **ORDER**
)

) Complaint filed November 17, 2005
)

21 Plaintiff Dax Pierson ("Pierson") and defendant Ford Motor Company ("Ford") have met
22 and conferred with respect to expert discovery and respectfully move this Court to amend the
23 October 15, 2007 Amended Case Management and Pretrial Order.

24 Good cause exists to extend the expert witness discovery cut-off date from February 29,
25 2008 to May 15, 2008 by virtue of the following:
26

27 Trial in this matter is set to commence on August 4, 2008. Currently the deadline

1 for expert discovery cut-off is February 29, 2008. Plaintiff's Counsel, Daniel Dell'Osso, who
2 has primary responsibility for the liability case against Ford, was involved in a four week trial in
3 Reno, Nevada during the month of January. Accordingly, expert witness depositions were not
4 able to take place during December 2007 (due to trial preparation) and January 2008.
5

6 In addition, plaintiff's accident reconstruction experts have been attempting since the fall
7 to document the presence of certain physical evidence at the scene but have been unable to do so
8 until February 19th because the scene was covered by ice and snow. Until the final scene visit,
9 plaintiff's reconstructionist was not in a position to provide a complete deposition. Moreover,
10 plaintiff's biomechanical expert could not be deposed until after the accident reconstructionist
11 because of the fact that occupant kinematics are a function of vehicle dynamics. For these
12 reasons the last two plaintiff's liability experts were not available for deposition prior to
13 February 29, 2008. In view of these circumstances, the parties have met and conferred and
14 agreed upon the following schedule to complete the depositions of all remaining experts for both
15 sides:
16

17 Plaintiff's reconstruction expert, Robert Caldwell on March 4, 2008;
18

19 Plaintiff's biomechanical expert, Martha Bidez on March 13, 2008;
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21 Ford's warnings expert, Christine Wood on March 31, 2008;
22

23 Ford's seat latch design expert, David Blaisdell on April 2, 2008;
24

25 Ford's accident reconstructionist, Goeff Germaine on April 10, 2008;
26

27 Ford's Metallurgist, Gary Fowler on April 14, 2008;
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Ford's in house seat attachment expert, Dennis Shaffer on April 15, 2008;

Ford's in house seat belt design expert, Bill Ballard on April 17, 2008;

1 Ford's in house seat attachment expert, Roger Burnett on April 25, 2008;

2 Ford's biomechanical expert, Robert Piziali on April 30, 2008

3 Ford's seat belt expert, Jeff Wirth on May 1, 2008

4 Ford's roof strength expert, Larry Ragan on May 6, 7, 2008

5 Ford's handling and stability expert, Lee Carr on May 9, 2008.

6
7 In spite of the parties' diligence given the number of experts involved and the variety of
8 topic areas, it is simply impossible to complete all of these depositions without some relief from
9 the existing scheduling order.

10 Since the last case management conference of October 12, 2007, the parties have
11 completed mediation and the following fact and expert witness depositions have been taken:
12

13	Jordan Dalrymple	Fact Witness	Feb. 19, 2008
14	Joe Long, CSSC	Ford's Expert	Feb. 4, 2008
15	Alan Grill	Plaintiff's Non-retained Expert	Jan. 23, 2008
16	Kirk Blackerby	Ford's Expert	Jan. 23, 2008
17	Myrna Anderson	Fact Witness	Jan. 14, 2008
18	Jay Shapiro	Ford's Expert	Jan. 14, 2008
19	Alan Cantor	Plaintiff's Expert	Dec. 12, 2007
20	Christian Bernhardt	Plaintiff's Expert	Nov. 28, 2007
21	Thomas Brown	Plaintiff's Expert	Nov. 20, 2007
22	Dr. Edward L. Workman	Ford's Expert	Nov. 6, 2007
23	Steven Forrest	Plaintiff's Expert	Nov. 2, 2007
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26 The parties therefore respectfully request that the Court amend the October 15, 2008

1 Amended Case Management and Pretrial Order to extend the expert witness discovery cut-off to
2 May 15, 2008 with all other dates to remain the same.

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4 DATED: February 29, 2008

THE BRANDI LAW FIRM

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6 BY: /s/ Daniel Dell'Oso
7 DANIEL DELL'OSSO
8 Attorney for Plaintiff

9 DATED: February 29, 2008

SHOOK, HARDY & BACON, L.L.P.

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11 BY: /s/ H. Grant
12 H. GRANT LAW
13 Attorney for Defendant

14 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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16 DATED: 3/4/08

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18 NO FURTHER CONTINUANCES
19 WILL BE PERMITTED.

The Honorable Pt

